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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,744	03/23/2004	Jens-Peter Redlich	03033	2547

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NEC Laboratories America, Inc.
4 Independence Way
Princeton, NJ 08540

EXAMINER

RUSSELL, WANDA Z

ART UNIT	PAPER NUMBER
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2616

MAIL DATE	DELIVERY MODE
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08/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/806,744

Applicant(s)

REDLICH ET AL.

Examiner

Wanda Z. Russell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-40** are rejected under 35 U.S.C. 102(e) as being anticipated by Elliott et al. (Pub No. US 2004/0022237 A1).

3. For **claim 1**, Elliott et al. teach a method (Abstract, line 1) of operating an access device (108-Fig. 1, and [0029], lines 1-2) comprising:

receiving (provide for transmission of both voice and data traffic through the data network, [0029], lines 8-9) a packet ([0030], line 3) at an access device deployed in a first network (from 122 to 108-Fig. 1);

automatically identifying ([0036], line 3) a switch server (terminating device, [0036], line 4, and terminating soft switch, [0749], line 5, 104-Fig. 1) in a second network (104-Fig. 1), where the switch server is associated with an identifier obtained from the packet ([0036], lines 3-4);

forwarding (route, [0030], line 3) the packet to the switch server in the second network so that the switch server can release the packet in the second network without releasing the packet in the first network (6518-Fig. 65).

For **claim 2**, Elliott et al. teach the method of claim 1 wherein the packet is a layer two frame ([1061], lines 3-4, and [0018], line 2).

For **claim 3**, Elliott et al. teach the method of claim 2 wherein the packet is received from a user device with layer two connectivity with the access device ([1061], lines 1-4).

For **claim 4**, Elliott et al. teach the method of claim 3 where the first network is a remote network (Fig. 1) and the second network is a home network (Fig. 1) for a user of the user device.

For **claim 5**, Elliott et al. teach the method of claim 3 wherein the identifier comprises a media access control ([0018], lines 1-3) address associated with the user device.

For **claim 6**, Elliott et al. teach the method of claim 3 wherein the identifier comprises a media access control ([0018], lines 1-3) address associated with the user device and a cryptographic key identifier ([1526], lines 2-3).

For **claim 7**, Elliott et al. teach the method of claim 3 wherein the identifier comprises a network layer address (IP address, Table 6).

For **claim 8**, Elliott et al. teach the method of claim 1 wherein the packet is forwarded using a communication channel ([0029], line 3) established across a public data network between the access device in the first network and the switch server in the second network.

For **claim 9**, Elliott et al. teach the method of claim 8 where communication channels are established between the access device in the first network and a plurality

of switch servers in different networks dynamically based on which users have established connectivity with the access device (Fig. 1).

For **claim 10**, Elliott et al. teach the method of claim 8 where communication channels are dynamically established between access devices and switch servers which have no prior knowledge of each other (Fig. 1).

For **claim 11**, Elliott et al. teach the method of claim 4 in which the user device connects in a same manner as it connects to the home network ([0635], lines 4-5).

For **claim 12**, Elliott et al. teach the method of claim 4 where the remote network does not need to allocate an IP address for the user device (trunking gateway allocates internal resources, [0756], lines 1-5. It can be seen that this is done at the soft switch side – home network, not remote network, by applicant's definition).

For **claim 13**, Elliott et al. teach the method of claim 4 where the remote network is not involved in performing user authentication and access control ([1814], Soft switch to set up a connection for the purpose of authenticating calling party. It can be seen that this is done at the soft switch side – home network, not remote network, by applicant's definition).

For **claim 14**, Elliott et al. teach the method of claim 1 wherein the switch server is identified by performing a lookup request using the identifier obtained from the packet ([0494], line 1).

For **claim 15**, Elliott et al. teach a system (Abstract, line 1) for remote access to a home network from a remote network (Fig. 1), comprising:

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one or more switch servers (104, 106 -Fig. 1), each switch server deployed in a home network (first network, from 122 to 108-Fig. 1) associated with one or more users (102, 122 -Fig. 1); and

an access device (108-Fig. 1, and [0029], lines 1-2) for deployment in a remote network (second network, 104-Fig. 1) and providing connectivity for user devices; such that packets arriving at the access device from a user are forwarded (route, [0030], line 3) to the switch server (104-Fig. 1) in the home network associated with the user and released into the home network without releasing the packets into the remote network (6518-Fig. 65).

For **claim 16**, it is a system claim corresponding to method claim 2, therefore it is rejected for the same reason above.

For **claim 17**, it is a system claim corresponding to method claim 9, therefore it is rejected for the same reason above.

For **claim 18**, it is a system claim corresponding to method claim 1, therefore it is rejected for the same reason above.

For **claim 19**, it is a system claim corresponding to method claim 11, therefore it is rejected for the same reason above.

For **claim 20**, Elliott et al. teach an access device (108-Fig. 1, and [0029], lines 1-2) comprising:

a network interface ([0469], lines 1-2) for establishing connectivity with one or more user devices;

a packet analysis module capable of obtaining an identifier ([0036], line 3) from a packet received from the network interface and identifying ([0036], line 4) a switch server in a second network associated with the identifier;

means (router, [0030], line 3) for dynamically establishing a communication channel with one or more switch servers so that a packet associated with a switch server can be forwarded to the switch server and released in the second network without releasing the packet in a local network (6518-Fig. 65).

For **claim 21**, it is a system claim corresponding to method claim 2, therefore it is rejected for the same reason above.

For **claim 22**, it is a system claim corresponding to method claim 11, therefore it is rejected for the same reason above.

For **claim 23**, Elliott et al. teach the access device of claim 20 where the network interface provides wired connectivity with the user devices (Fig. 1).

For **claim 24**, Elliott et al. teach the access device of claim 20 where the network interface provides wireless connectivity with the user devices (claim 5).

For **claim 25**, Elliott et al. teach the access device of claim 20 where traffic from the user devices are not bridged with any nodes in the local network (Fig. 1).

For **claim 26**, Elliott et al. teach a switch server (104-Fig. 1) comprising:

a network interface (SS7 gateway-Fig. 5A) for connecting to a home network of a user; and

an access module (TG-Fig. 5A) capable of maintaining communication channels with one or more access devices (108-Fig. 1) and receiving packets from the access

device on behalf of a user device and releasing the packets using the network interface into the home network of the user (6518-Fig. 65).

For **claim 27**, it is a system claim corresponding to method claim 2, therefore it is rejected for the same reason above.

For **claim 28**, Elliott et al. teach the switch server of claim 26 wherein the switch server is responsible for local access policy enforcement ([0714], 2nd line form the end).

For **claim 29**, Elliott et al. teach the switch server of claim 26 further comprising a decryption module for decrypting packets from the access device ([1061], line 9).

For **claim 30**, Elliott et al. teach the switch server of claim 26 further comprising a lookup module that responds to lookup requests from access devices ([0494], line 1).

For **claims 31-39, and 40**, they are device-readable medium claims corresponding to method claims 1-9 and 14 respectively, therefore they are rejected for the same reason above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wanda Z. Russell whose telephone number is (571) 270-1796. The examiner can normally be reached on Monday-Thursday 9:00-6:00 EST.

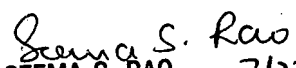
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WZR




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